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HOUSE BILL 1802

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Dunshee, Mielke, Murray, Hankins, Skinner, Hurst and Romero

Read first time 02/05/2001. Referred to Committee on Transportation.

1 AN ACT Relating to providing incentives to reduce air pollution  
2 through the licensing and use of neighborhood electric vehicles;  
3 amending RCW 46.04.320; adding a new section to chapter 46.04 RCW;  
4 adding a new section to chapter 46.61 RCW; prescribing penalties;  
5 and providing an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 46.04.320 and 1961 c 12 s 46.04.320 are each amended  
8 to read as follows:

9 "Motor vehicle" (~~shall~~) means every vehicle which is self-  
10 propelled and every vehicle which is propelled by electric power  
11 obtained from overhead trolley wires, but not operated upon rails.

12 "Motor vehicle" includes a neighborhood electric vehicle as  
13 defined in section 2 of this act and operated pursuant to section  
14 3 of this act.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04  
16 RCW to read as follows:

17 "Neighborhood electric vehicle" means a self-propelled,

1 electrically powered four-wheeled motor vehicle that has a speed  
2 attainable in one mile that does not exceed twenty-five miles per  
3 hour and conforms to federal regulations under Title 49 C.F.R.  
4 Part 571.500.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.61  
6 RCW to read as follows:

7 (1) Absent prohibition by local authorities authorized under  
8 this section and except as prohibited elsewhere in this section, a  
9 person may operate a neighborhood electric vehicle upon a highway  
10 of this state having a speed limit of thirty-five miles per hour  
11 or less as long as:

12 (a) A person does not operate a neighborhood electric vehicle  
13 upon streets and highways which are parts of the state highway  
14 system which are subject to the provisions of Title 47 RCW;

15 (b) A person does not operate a neighborhood electric vehicle  
16 upon a highway of this state without first having obtained and  
17 having in full force and effect a current and proper vehicle  
18 license and displays vehicle license number plates in compliance  
19 with chapter 46.16 RCW;

20 (c) A person does not operate a neighborhood electric vehicle  
21 upon a highway of this state without first obtaining a valid  
22 driver's license issued to Washington residents in compliance with  
23 chapter 46.20 RCW;

24 (d) A person does not operate a neighborhood electric vehicle  
25 subject to registration under chapter 46.16 RCW on a highway of  
26 this state unless the person is insured under a motor vehicle  
27 liability policy in compliance with chapter 46.30 RCW;

28 (e) A person operating a neighborhood electric vehicle does not  
29 cross a roadway with a speed limit in excess of thirty-five miles  
30 per hour, unless the crossing begins and ends on a roadway with a  
31 speed limit of thirty-five miles per hour or less and occurs at an  
32 intersection of approximately ninety degrees, except that the  
33 operator of a neighborhood electric vehicle must not cross an  
34 uncontrolled intersection of streets and highways which are part  
35 of the state highway system subject to the provisions of Title 47  
36 RCW unless that intersection has been authorized by local  
37 authorities provided elsewhere in this section.

1 (2) Any person who violates this section commits a traffic  
2 infraction.

3 (3) The provisions of this section do not prevent local  
4 authorities, with respect to streets and highways under their  
5 jurisdiction and within the reasonable exercise of their police  
6 power, from regulating the operation of neighborhood electric  
7 vehicles on streets and highways under their jurisdiction by  
8 resolution or ordinance of the governing body, if the regulation  
9 is consistent with the provisions of this title, except that:

10 (a) Local authorities may not authorize the operation of  
11 neighborhood electric vehicles on streets and highways which are  
12 part of the state highway system subject to the provisions of  
13 Title 47 RCW;

14 (b) Local authorities may not prohibit the operation of  
15 neighborhood electric vehicles upon highways of this state having  
16 a speed limit of twenty-five miles per hour or less;

17 (c) Local authorities are prohibited from establishing any  
18 requirements for the registration and licensing of neighborhood  
19 electric vehicles.

20 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2002.

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